

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

ANTHONY DAVID MARTIN,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. CV419-340
)	
ANDREW SAUL, Acting Commissioner)	
of the Social Security)	
Administration,)	
)	
Defendant.)	
)	

O R D E R

Before the Court is the Magistrate Judge's April 27, 2022, Report and Recommendation (Doc. 31), to which no party has filed objections.¹ After a careful review of the record,² the report and recommendation (Doc. 31) is **ADOPTED** as the Court's opinion in this case. Plaintiff's Motion for Attorney's Fees under the Equal Access to Justice Act ("EAJA") is **GRANTED IN PART**. (Doc. 28.) Plaintiff's requested attorney's fee award is **REDUCED** to \$4,319.38. Plaintiff

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Federal Rule of Civil Procedure 25(d), the Clerk of Court is **DIRECTED** to substitute Kilolo Kijakazi for Andrew Saul as the defendant in this suit.

² The Court reviews de novo a magistrate judge's findings to which a party objects, and the Court reviews for clear error the portions of a report and recommendation to which a party does not object. 28 U.S.C. § 636(b)(1); see Merchant v. Nationwide Recovery Serv., Inc., 440 F. Supp. 3d 1369, 1371 (N.D. Ga. 2020) (citing Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006) (per curiam) (outlining the standard of review for report and recommendations)).

is also awarded \$20.85 in costs, for a total award of \$4,340.23 under the EAJA.

Upon the entry of this order, the Commissioner will determine whether Plaintiff owes a debt to the Government that qualifies under the Treasury Offset Program, 31 U.S.C. §§ 3711, 3716. If Plaintiff owes such a debt, the fee award will be applied towards that debt with any remaining funds remitted to Plaintiff. If Plaintiff does not owe such a debt, the Government may, in its discretion, accept Plaintiff's assignment of EAJA fees and pay the fees and costs directly to Plaintiff's counsel.

SO ORDERED this 18th day of May 2022.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA